



Regulation 61-107.19 Solid Waste Landfills and Structural Fill

***2008 Environmental
Assistance Conference***

Juli Blalock – SW Permitting

Rob McDaniel – SW Compliance

Became Effective on

May 23, 2008

New Solid Waste Landfill Regulation

Combined four landfill regulations into one

- **Repeals:**

- R.61-107.11 – C&D
- R.61-107.13 – MSW Incinerator Ash
- R.61-107.16 – Industrial SW
- R.61-107.258 – MSW

- **Adds:**

- **R.61-107.19. -- Solid Waste Landfills and Structural Fill**

New Solid Waste Landfill Regulation

- Directs disposal based on characteristics of waste instead of source of generation
- Provides better protection of the environment and public health
- Facilitates public notification and input for permits
- Requires structural fill registration
- Establishes September 1 as the reporting date for waste disposal during the previous fiscal year

Incorporates Changes to Title 40 CFR, Part 258

- Location restrictions for airport safety
- Research, development, and determination permit requirements
- Leachate recirculation
- Updates to Appendix V – List of hazardous constituents

Landfill Classifications

Old Regulations	New Regulation
• LCD Landfills	Class One
• C&D Landfills	Class Two
• ISWLFs Class I	
• ISWLFs Class II	Class Three
• ISWLFs Class III	
• MSW Landfills	

Short-term C&D Landfills will become Structural Fill
Sites with a registration

Implementation Timelines

Regulation became effective upon publication in State Register May 23, 2008

Applicability – Existing SW Landfills shall:

- Be subject to all provisions except location requirements
- Within 180 days (November 19, 2008), submit a plan to bring the landfill into compliance
- Within 18 months (November 19, 2009), be in compliance with requirements

Class Two Landfills – Existing SW Landfills shall:

- Within 180 days (November 19, 2008), submit a groundwater detection monitoring plan (GWDMP) or written notification that the landfill will cease waste acceptance within one year of the effective date (May 23, 2009)
 - Facilities that cease waste acceptance within one year are exempt and must submit a closure plan within 180 days of the effective date (November 19, 2008)
- Within 180 days from the approval of the GWDMP, install the monitoring system

New Solid Waste Landfill Regulation Key Impacts

- 1. Permits**
- 2. Solid Waste Management Plans**
- 3. New Rules on Public Notices**
- 4. Waste Acceptance**
- 5. Waste Characterization**
- 6. Groundwater Detection Monitoring Plans**
- 7. Leachate Recirculation**
- 8. Stormwater Pollution Prevention Plans**
- 9. Financial Assurance**
- 10. Structural Fill**

Permits

- How will the Department inform facilities about the changes?
- New permit numbering system
- How will the Department address variances?
- Procedures and timeline for conversions

Permit Conversion Timelines

Old Regulations	New Regulation	Timeline
<ul style="list-style-type: none">• LCD Landfills Approval	Class One	Convert with GP
<ul style="list-style-type: none">• C&D Landfills and Cost• ISWLFs Class I	Class Two	Convert with GWDMP Estimate Approval
<ul style="list-style-type: none">• ISWLFs Class II Cost• ISWLFs Class III• MSW Landfills	Class Three	Convert with SWAIP and Estimate Approval

Demonstration of Need

- Where are we on the DON regulation revision?
- How will the Department address consistency pending approval of the new DON regulation?

Solid Waste Management Plans (SWMPs)

- Revisions to SC Solid Waste Management Plan
- What procedure will the Department use to advise Regions and Counties to update their SWMPs?
- How will the Department address consistency in the interim?

New Rules for Public Notices

Landfills permits

- ✓ Notice of intent to file a permit application (Applicant)
- ✓ Notice of filing a permit application (Applicant & DHEC)
- ✓ Notice of draft permit (DHEC)

Waste Acceptance

- Waste acceptance based upon waste stream instead of source
- Allows waste acceptance based upon waste characteristics:
 - ✓ Class Two Landfills – Appendix I waste streams + Waste Characterization
 - ✓ Class Three Landfills – Special Waste Acceptance & Implementation Plan (SWAIP)

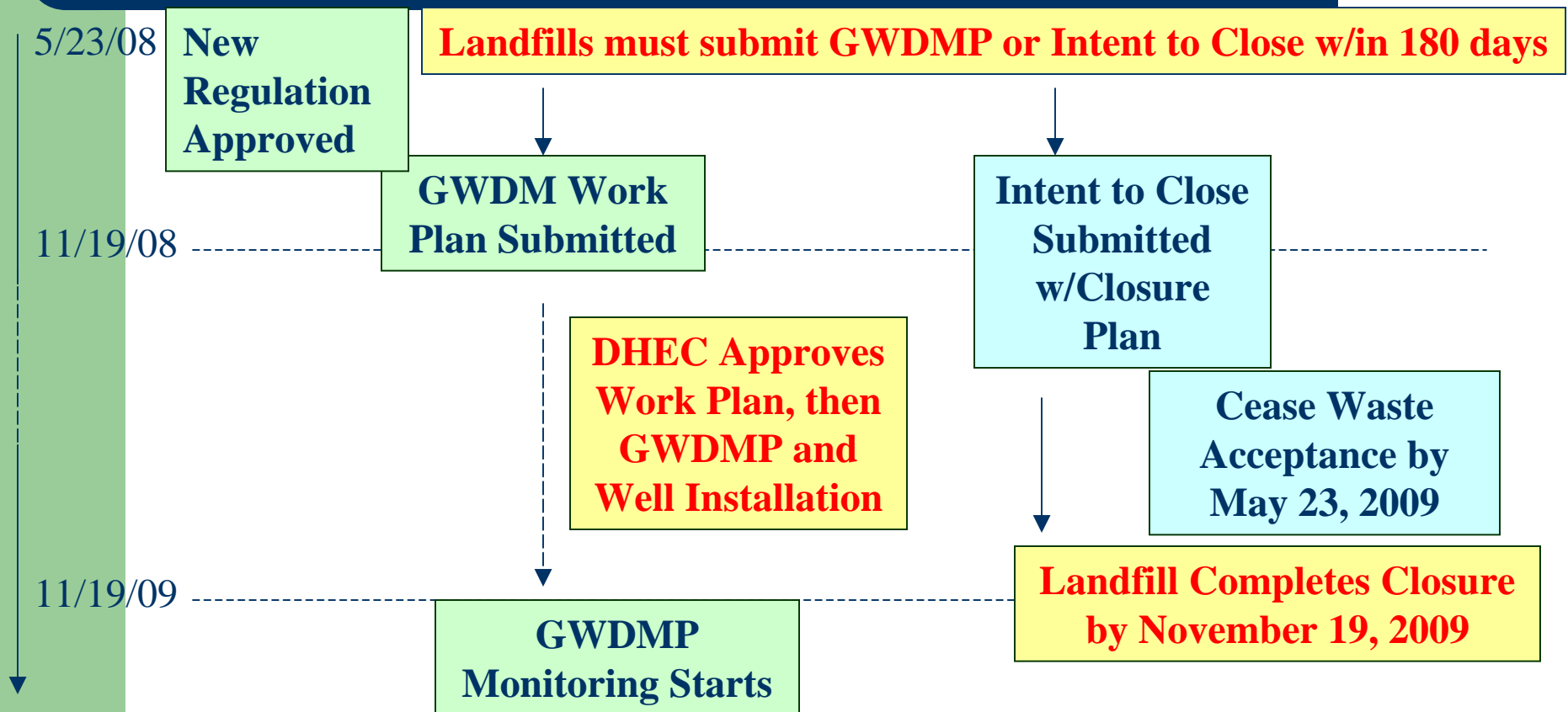
Waste Acceptance Under Appendix I

- List adds:
 - Cardboard
 - Dry paint cans
 - Dry caulking tubes
 - **Painted waste (including lead paint)**
 - **Treated lumber**
 - **Friable asbestos** (all asbestos must be disposed of in a designated area and covered immediately upon disposal with 6 inches of soil)
 - Brown goods
- Clarifies animal disposal:
 - Buried in separate designated area as defined in the permit
 - Covered with hydrated lime (all carcasses and surrounding area) and then covered immediately upon disposal with 12 inches of soils
 - Mass kill burials must be approved by the Department before disposal

Waste Characterization

- **Class One Landfills:** Not required
- **Class Two Landfills:** Not required if waste stream is listed in Appendix I – Required if waste stream is not listed
 - Less than 10 times the MCLs
- **Class Three Landfills:** Required under the Special Waste Analysis and Implementation Plan
 - Subtitle-D Landfill: less than hazardous or TSCA regulated limits
 - Non-Subtitle-D Landfill: less than 30 times the MCLs

Ground Water Detection Monitoring Plan (GWDMP)



Leachate Recirculation

- Allows leachate recirculation for Class Three Landfills with leachate control systems
- What procedure will the Department use to review and approve these permit modifications?
- Criteria for excluding a landfill from leachate recirculation
- Annual review/update for leachate recirculation

Stormwater Pollution Prevention Plans

- Requires Class Two Landfill to have a Industrial SWP3
- What procedure will the Department use to do this?
- Required to submit an application to SCDHEC Bureau of Water for coverage under the NPDES General Permit for Industrial Activities.
- Need more information on Industrial Stormwater Permitting call Mr. Mel Leaphart at (803) 898-4143.

Financial Assurance Criteria

- Adds new mechanisms
 - certificates of deposits
 - corporate financial test
 - local government financial test
- Requires all non-government owned Class One, Two Landfills, and Class Three to obtain financial assurance

Structural Fill Sites

- Must be registered with DHEC under Permit-by-rule
 - DHEC approval required to operate
 - Consistency not required
 - Must meet Zoning requirements
- Limits activity to 12-months or less
- Limits size to 1 acre or less
- Exempts SCDOT right-of-way structural fill sites that are directly related to road construction

Structural Fill Sites

- **Limits waste streams:**
 - Hardened concrete (may include rebar)
 - Hardened asphalted concrete
 - Bricks
 - Masonry Blocks
 - Land-clearing Debris

Can Not be Painted with Lead-based Paint, Contaminated with Petroleum Products or Hazardous Constituents

Permit-by-rule Registration Requirements

- Design requirements for structural fill sites:
 - Fill to grade only or tie into existing grade
- Operational criteria:
 - Waste must be reduced in size to less than or equal to one cubic yard
 - Waste may not be placed in water
- Closure requirements:
 - Allows landowner to begin construction in lieu of seeding
 - Requires posting on Deed with listing of fill materials

Getting the Word Out

- ✓ Letters to permitted landfills
- ✓ Guidance Documents & Handouts
- ✓ Website information

http://www.scdhec.gov/environment/lwm/html/solidwaste_new_regulation.htm

Contacts

Juli Blalock, Solid Waste Permitting Section, (803) 896-4213 or blalocje@scdhec.sc.gov

Rob McDaniel, Solid Waste Compliance Section, (803) 896-4206 or mcdanirs@scdhec.sc.gov